



RULE-MAKING ORDER

(RCW 34.05.360)

CR-103 (7/22/01)

Agency: Insurance Commissioner

- ☒ Permanent Rule
☐ Emergency Rule
☐ Expedited Rule Making

(1) Date of adoption: March 5, 2003

(2) Purpose:

RCW 48.41.040 requires the commissioner to adopt WSHIP's plan of operation by rule. The board of WSHIP recently revised their Plan of Operation to reflect recent changes in law. The new law changed the composition of the board and many of the operating procedures. These rules repeal sections in 284-91 WAC that are redundant or conflict with the new law.

Insurance Commissioner Matter No. R 2001-15

(3) Citation of existing rules affected by this order:

Repealed: 284-91-010, 284-91-020, 284-91-025, 284-91-027, 284-91-030, 284-91-040, 284-91-050, 284-91-060
Amended: None
Suspended:

(4) Statutory authority for adoption: RCW 48.02.060, 48.41.040, 48.41.170, 48.44.050, and 48.46.020

Other Authority:

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR 02-23-091 on 11/20/02 (date).

Describe any changes other than editing from proposed to adopted version: The rule is amended to reflect that the Commissioner did not approve of Article VIII of the Articles of Incorporation. The Commissioner has informed the WSHIP Board that he is willing to revisit that subject in the future.

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- ☐ (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- ☐ (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?:

☐ Yes ☒ No If Yes, explain:

(6) Effective date of rule:

Permanent Rules

- ☒ 31 days after filing
☐ Other (specify) _____*

*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

Emergency Rules

- ☐ Immediately
☐ Later (specify) _____

CODE REVISER USE ONLY

Name (Type or Print)

Mike Kreidler

Signature

Title

Insurance Commissioner

Date

March 5, 2003

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	<u>1</u>	Amended	_____	Repealed	<u>8</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	<u>1</u>	Amended	_____	Repealed	<u>8</u>

Chapter 284-91 WAC

WASHINGTON STATE HEALTH INSURANCE ((ACCESS-REGULATION)) POOL

NEW SECTION

WAC 284-91-001 Plan of operation approved. Under RCW 48.41.040(4), the commissioner approves the plan of operation submitted by the board of directors of the Washington state health insurance pool (WSHIP). The plan of operation is composed of the following documents:

- (1) Articles of organization approved by the WSHIP board on September 5, 2002 and amended by the insurance commissioner on March 4, 2003;
- (2) Bylaws approved by the WSHIP board on September 5, 2002; and
- (3) Operating rules approved by the WSHIP board on September 5, 2002.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 284-91-010	Board of directors.
WAC 284-91-020	Organizational meeting, duties of board of directors.
WAC 284-91-025	Plan of operation approved.
WAC 284-91-027	Plan of operation.
WAC 284-91-030	Duties of administrator.
WAC 284-91-040	Forms to be used by administrator.
WAC 284-91-050	Involuntary terminations for other than nonpayment of premiums.
WAC 284-91-060	Eligibility in counties without commercially available coverage equivalent to pool coverage.